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**Personnel**

**MEMBER'S MARITAL STATUS AND ACTIVITY**

**COMPLIANCE WITH THIS PUBLICATION IS MANDATORY**

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This instruction implements AFR 36-30, *Military Entitlements*, and DoD Directive 1400.33, *Employment and Volunteer Work of Spouses of Military Personnel*, February 10, 1988. This instruction provides the basic instructions on allowing spouses of Air Force members to pursue employment, education, and volunteer activities. This instruction prohibits commanders, supervisors, or other Air Force officials from using the marital status of the member, positively or negatively, to affect the career of the military member. This prohibition pertains to performance evaluations, promotion, assignment, or command opportunities. Paragraph 2 contains exceptions to these instructions. Violation is punishable under Title 10, chapter 47, of the Uniform Code of Military Justice (UCMJ) or applicable State Code for Air National Guard members. Violation of this instruction by Air Force civilian employees may result in disciplinary action under AFI 36-704, *Discipline and Adverse Actions*. Send comments and suggested improvements on AF Form 847, **Recommendation for Change of Publication**, through channels, to SAF/AAIP, 170 Luke Avenue, Suite 300, Bolling AFB DC 20332-5113.

**SUMMARY OF CHANGES**

This revision aligns the instruction with AFR 36-30.

**1. Personnel Actions.** A spouse may choose to pursue employment, to be a homemaker, to attend school, or to serve as a volunteer. This choice is a private matter and solely the decision of the individual.

1.1. Neither the decision of the spouse in this matter, nor the marital status of the military member, may affect the evaluation, promotion, or assignment of the military member, except under conditions specifically permitted by Air Force instructions. Volunteer service must be voluntary.

**2. Exceptions to Considerations for Marital Status and Spouse Activity:**

2.1. When a military member requests special assignment consideration under AFI 40-301, *Family Advocacy Program*.

2.2. To enhance and facilitate assignments of dual-career military couples to the same geographic area.

2.3. To avoid conflict of interest resulting from the position or official duties of the Air Force member and the employment of the spouse.

2.4. When the Assistant Secretary of Defense (Force Management and Personnel), with the concurrence of the General Counsel, determines on a case-by-case basis, for reasons of national security, that marital status is an essential qualification for an assignment or position.

**3. Applicability of AFI 36-3010.** This instruction must be considered where pertinent to other existing instructions in the 36 series (Personnel); and AFI 40-301.

**4. Redress of Grievances.** Individuals should give commanders the opportunity to correct violations of this instruction. Individuals may also seek redress through the Inspector General Complaint Program.

**5. Compliance.** Commanders, supervisors, and other officials must comply with this instruction. Failure to do so may result in disciplinary action under Article 92, UCMJ for military and AFI 36-704.

**6. Definitions:**

**6.1. Spouse.** The husband or wife of a military member if the spouse is not also a military member.

**6.2. Marital Status.** Refers to married, single, divorced, widowed, or separated.

**6.3. Air Force Official.** Any commander, supervisor, or other military or civilian official of the Air Force.

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